

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVISION APPLICATION NO.477 OF 2004

Ambrish S.Kapadia ...Applicant

Versus

State of Maharashtra & Anr. ...Respondents

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Mr.C.K.Pendse for Applicant.

Mr.A.S.Gadkari, A.P.P. for Respondent No.1.

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CORAM: A.M.KHANWILKAR, J.

DECEMBER 23, 2004.

P.C.

1. Having regard to the fact situation of the present case, no interference is warranted. Inasmuch as inspite of the de novo trial order, the correctness of which, is not put in issue by the Respondent, the fact remains that the Petitioner submitted to the jurisdiction of the Trial Court and allowed to proceed the trial further. If it is so, it is too late in the day for the Petitioner to insist that the earlier order of de novo trial should be given effect to. Dismissed.

A.M.KHANWILKAR, J.